

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>SUMMIT CARBON SOLUTIONS, LLC,</p> <p>Petitioner,</p> <p>v.</p> <p>IOWA UTILITIES BOARD, A DIVISION OF THE DEPARTMENT OF COMMERCE, STATE OF IOWA,</p> <p>Respondent.</p>	<p>Case No. _____</p> <p>DECLARATION OF JAKE KETZNER</p>
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Under Iowa Code section 622.1, I, Jake Ketzner, make the following declaration:

1. The matters set forth in this Declaration are within my personal knowledge.
2. I am employed by Summit Carbon Solutions, LLC. My title is VP of Government and Public Affairs.
3. In my role as VP of Government and Public Affairs, I am familiar with Summit's proposed carbon capture and storage project, as well as proceedings relating to the project before the Iowa Utilities Board (the "Board").
4. Summit has proposed a carbon capture and storage project operating in five states that would partner with ethanol plants, including at least 12 in Iowa, to capture the CO2 from their fermentation process and transport it to unique geologic formations more than a mile underground in North Dakota for permanent storage.
5. The project is expected to capture and store up to 12 million tons of CO2 per year, the equivalent of removing the CO2 emissions from 2.6 million automobiles.
6. The project is expected to provide new capital investments, tax revenues, payments to landowners, thousands of construction jobs, and hundreds of good permanent jobs.

7. The project is expected to also reduce the carbon intensity score of Iowa-produced ethanol by 30 points, making it much more competitive in growing low-carbon fuel markets – extending and increasing the market for Iowa’s ethanol, and for corn grown by tens of thousands of farmers across Iowa.

8. To comply with Iowa Code chapter 479B and the Board’s administrative rules implementing the statute, Summit sent notices of public meetings, including specified information, to those responsible for paying taxes on certain parcels in each county where the pipeline is proposed to be constructed and operated.

9. While the list for this mailing begins with county information on who is responsible for paying taxes on a given parcel, it also may include other persons, and more importantly it specifically identifies these persons, by name and with addresses, as persons whose parcels are in an area of interest to Summit.

10. The mailing lists relating to Summit’s project involve over 15,000 records, reflecting each owner of each parcel in the pipeline corridor.

11. As part of the process of planning for the Board-run public information meetings, Board staff requested that Summit file the mailing lists it used to provide notices.

12. Although filing of the list was not required by law, Summit did not want to refuse a request from the decision-maker on its permit, potentially antagonizing its regulator before the permitting process was even underway.

13. At the same time, Summit raised concerns about disclosing information about its potential host landowners and potentially exposing them to unwanted publicity.

14. To address both concerns, Summit filed the lists as requested, but with a request for confidential treatment, filed August 13, 2021, as is permitted under the Board's rules and consistent with the Iowa Open Records Act.

15. The individuals named in the mailing list had no input in the process and have never consented to having their names or addresses publicly disclosed.

16. On information and belief, many of the named individuals do not know about the threat of disclosure and have had no meaningful opportunity to protect their rights.

17. In the current environment, identification as persons who may be making a private decision on whether to sign an easement on their private property with Summit may subject them to harassment, and invasion of their privacy, peace and seclusion through no action of their own.

18. In addition to the threat to landowners' privacy rights, disclosure would aid Summit's competitors, including a proposed carbon capture pipeline in Iowa, called the "Navigator" project.

19. Disclosure of the individuals named in the mailing list would inform Navigator which landowners may also be negotiating with Summit for easements. It would also inform Navigator how much flexibility Summit has to move its line in a given area, based on being able to determine the exact width of Summit's notice corridor.

20. The examination of the mailing lists would clearly not be in the public interest and would substantially and irreparably injure both the persons on the mailing lists and Summit.

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.

Executed on the 13th day of December, 2021.

Jake Ketzner
Name


Signature

VP, Government and Public Affairs
Title